IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6679 OF 2002

Shobhana B. Mantrawadi ... Petitioner

Vs.

Syndicate Bank & Ors. ... Respondents

Mr. Anil V. Anturkar for the petitioner.

Mr. P.R. Rege, sr. advocate with Mr. Piyush Shah for respondents 1 to 3.

CORAM: V.G. PALSHIKAR &
SMT. RANJANA DESAI, JJ.

DATED: 9TH AUGUST, 2004.

P.C.:-

By this petition, the petitioner has challenged the punishment awarded to her during the departmental proceedings and rejection of her appeal by the Appellate Authority. The main contention raised by the petitioner is violation of Rule 17 of the Rules applicable to the petitioner. However, this court has taken a view in the matter of **Ramesh Baburao Sawai v. Bank of Baroda & Ors., 1988 (1) CLR 110** and the rules are held to be enabling provisions and not creating a statutory right. It is also contended that the petitioner is being punished for a charge which was not framed. A careful reading of the charge sheet and attending papers would show that this ground will also have no substance.

In so far as payment of gratuity is concerned, adequate remedy under the Payment of Gratuity Act, 1972 is available to the petitioner, reserving that remedy this petition is dismissed.

(V.G. PALSHIKAR, J.)

(SMT. RANJANA DESAI, J.)